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CRL MP(MD) NO.1677 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28-01-2026

CORAM

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) No.1677 of 2026

in

CRL RC(MD) No. 67 of 2026

R.Kamaraj

Petitioner

Vs

R.Boopathy

Respondent

For Petitioner:

Mr.N.Shanmuga selvam

Prayer:

To suspend the sentence in Crl.A.No.238/2023 dated 06.11.2025 on the file of District and Sessions Judge, Karur by confirming the sentence passed in C.C.No. 142/2016 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Karur dated 07.11.2023 and enlarge the petitioner on bail, pending disposal of the above Criminal Revision Petition.

ORDER

Heard Mr.N.Shanmuga Selvam, learned Counsel for petitioner.

2.Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate, Fast Track Court (Magisterial Level), Karur in C.C.No.142 of 2016 dated 07.11.2023, which was confirmed by District and Sessions Judge, Karur in Crl.A.No.238 of 2023 dated 06.11.2025.



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3.Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate, Fast Track Court (Magisterial Level), Karur for offence under Section 138 of the Negotiable Instruments Act in C.C.No.142 of 2016 dated 07.11.2023 and sentenced him to undergo one year simple imprisonment and to pay compensation of Rs.5,00,000/- to respondent within a period of one month, in default to undergo one month simple imprisonment. Aggrieved, petitioner filed criminal appeal in Crl.A.No.238 of 2024 before District and Sessions Judge, Karur and the lower Appellate Court, by the judgment dated 06.11.2025 dismissed the appeal confirming the conviction and sentence passed by trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.67 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence and bail.

4.Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that to show his bonafides, petitioner is willing to deposit 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence and bail to the petitioner.



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5. Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence and bail to the petitioner, on the following conditions, till the disposal of the above Criminal Revision:

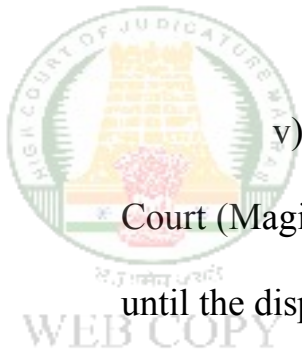
i) Petitioner is directed to deposit 50% of cheque amount to the credit of C.C.No.142 of 2016 dated 07.11.2023 on the file of Judicial Magistrate, Fast Track Court (Magisterial Level), Karur, within a period of four weeks from the date of receipt of a copy of this order, failing which the sentence suspended shall stand automatically vacated and respondent is at liberty to execute the sentence imposed by the trial Court against the petitioner in the manner known to law;

(ii) Any amount already paid shall be deducted while reckoning 50% of cheque amount directed in clause (i);

(iii) On such deposit, petitioner is directed to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of Judicial Magistrate, Fast Track Court (Magisterial Level), Karur;

iv) Petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

¹ Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663



v) Petitioner shall appear and sign before Judicial Magistrate, Fast Track Court (Magisterial Level), Karur, on the first working day of every month at 10.30 a.m., until the disposal of the revision;

vi) In case, if petitioner is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

6. Accordingly, this Criminal Miscellaneous Petition is **ordered**.

28.01.2026

rgm



To

1.The Judicial Magistrate, Fast Track Court (Magisterial Level), Karur.

2.The District and Sessions Judge, Karur.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.